

**AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO
ORDINANCE NO. 101687 AUTHORIZING THE CITY OF SAN
ANTONIO, TEXAS WATER SYSTEM COMMERCIAL PAPER NOTES,
SERIES A; ENACTING OTHER PROVISIONS INCIDENT AND
RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE;
AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of San Antonio, Texas (the *City*) is a home rule municipality, a political subdivision of, and is duly organized and existing pursuant to the Constitution and laws of the State of Texas (the *State*);

WHEREAS, pursuant to State law, the City Council (the *City Council*) of the City has heretofore adopted Ordinance No. 101687 on November 17, 2005 (the *Original Ordinance*) authorizing the revenue obligations designated as "City of San Antonio, Texas Water System Commercial Paper Notes, Series A" (herein referred to as the *Commercial Paper Notes*) in the principal amount of \$500,000,000 (the *Commercial Paper Program*); and

WHEREAS, the authorized representatives of the San Antonio Water System have requested an amendment to the Original Ordinance to clarify the permitted use of the proceeds from the Commercial Paper Notes; and

WHEREAS, the City Council may authorize an amendment to the terms of, and any necessary modifications to, the Original Ordinance without the consent of the Holders (as defined in the Original Ordinance) pursuant to Section 7.1(a)(ii) of the Original Ordinance which is to cure any ambiguity; and

WHEREAS, the City Council hereby finds and determines the adoption of this Ordinance is in the best interests of the citizens of the Council; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO THAT:

SECTION 1. Authorization of a First Amendment to the Original Ordinance for the Commercial Paper Notes. Section 1.1 Definitions is amended to revise the definition of "Eligible Project" as follows:

"Eligible Project" shall mean the acquisition or construction of improvements, additions or extensions for the System, including capital assets and facilities incident and related to the operation, maintenance and administration thereof, all as provided in the Act, or to refinance or refund any principal and/or interest payment relating to any Debt or with respect to the payment of any obligation of the System pursuant to any Credit Agreement as permitted by the provisions of Section 1371.051, as amended, of the Act."

With the exception of this amendment, the Original Ordinance is hereby readopted, restated, and ratified as the act and deed of the City Council.

SECTION 2: Inconsistent Provisions. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to

the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 3: Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 4: Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 5: Incorporation of Preamble Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals and other statements therein are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 6: Public Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.


SECTION 7: Further Proceedings. The officers and employees of the City are hereby authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge, and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance and, upon execution and delivery thereof, to provide any required notices of this first amendment to the Original Ordinance to all appropriate parties. In case any officer of the City whose signature shall appear on any certificate shall cease to be such officer before the delivery of such certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 8. Effective Date. The effective date of this Ordinance shall be governed by the provisions of Section 1-15 of the City Code of San Antonio, Texas. This Ordinance shall take effect immediately if passed by the affirmative vote of at least eight members of the City Council, otherwise the same shall take effect on the tenth day after the date of its passage by the City Council.

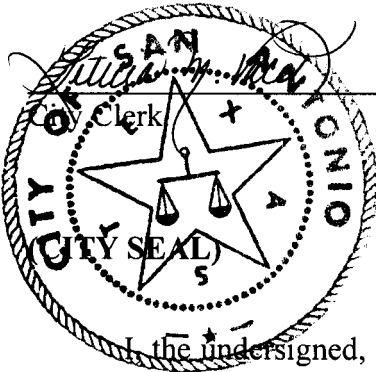
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PASSED AND ADOPTED by an affirmative vote of 10 members of the City Council of the City of San Antonio, Texas, this the 13th day of April, 2006.

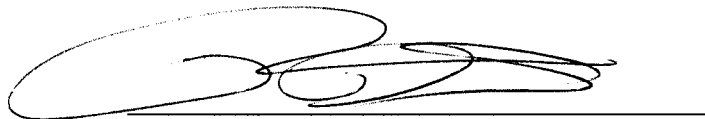
CITY OF SAN ANTONIO


Mayor

ATTEST:



I, the undersigned, City Attorney of the City of San Antonio, Texas, hereby certify that I read, passed upon, and approved as to form the foregoing Ordinance prior to its adoption and passage as aforesaid.



Michael D. Bernard, City Attorney,
City of San Antonio, Texas

Agenda Voting Results

Name: 12A. - 12C

Date: 04/13/06

Time: 11:09:54 AM

Vote Type: Multiple selection

Description: An Ordinance authorizing a First Amendment to Ordinance No. 101687 authorizing the City of San Antonio, Texas Water System Commercial Paper Notes, Series A; enacting other provisions incident and related to the subject and purpose of this Ordinance; and providing for an effective date.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6	Not present			
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		